

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-070714

04/21/2011

HONORABLE JOSE S. PADILLA

CLERK OF THE COURT

D. Berkland

Deputy

IN RE THE MARRIAGE OF
BARBARA SUE UPHOLD

BARBARA SUE UPHOLD
6923 W CAROL ANN WAY
PEORIA AZ 85382

AND

DALLAS DEAN UPHOLD II

DALLAS DEAN UPHOLD II
3522 N 196TH LN
BUCKEYE AZ 85396

MINUTE ENTRY

Courtroom 122 – NWR

Neither Petitioner/Mother nor Respondent/Father having appeared before the Court this date,

IT IS ORDERED vacating the Status Conference set this 21st day of April 2011 at 10:45 a.m. before the Honorable Jose S. Padilla, located at 14264 West Tierra Buena Lane, Courtroom 122, Surprise, Arizona 85374.

The Court reviews the history of the above-captioned matter.

IT IS ORDERED rejecting the Petition to Modify Parenting Time and Child Support, filed on January 11, 2011.

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IT IS FURTHER ORDERED rejecting the parties' Stipulation to Convert Petitioner's Post-Decree Petition and Respondent's Post-Decree Petition to a Stipulation to Modify, amend, Correct, and to clarify the Decree of Dissolution of Marriage, Modify Parenting Time, Child Support, Establish *In Loco Parentis* Rights for Respondent, and for Other and Further Relief, filed on March 3, 2011.

THE COURT FINDS that the Order which was signed by this Court on March 7, 2011 was improvidently granted.

IT IS THEREFORE ORDERED vacating and setting aside, with no affect, the Order Modifying and Correcting Decree of Dissolution of Marriage, Modifying Parenting Time and Child Support, Establishing in Loco Parentis Rights for Respondent, and for Other and Further Relief, previously signed by this Court on March 7, 2011, filed by the clerk on March 14, 2011.

IT IS FURTHER ORDERED that before such time as the Court will consider setting aside the finding that the elder children are born of the marriage, the Court would appoint a Best Interest Attorney and then make the determination whether it is in the best interest of the minor children involved to set aside the finding of parentage in Respondent, Dallas Uphold.

The Court notes that on January 10, 2011 Petitioner/Mother filed a petition to correct the parties' Decree of Dissolution. Petitioner/Mother's petition is untimely.

At this point in time, the record stands as follows:

The Default Decree of Dissolution of Marriage which was entered on August 24, 2009 is the operating document. Any order signed by this Court subsequent to that which sets aside the finding of paternity as to the children: Jared, Gary, Thomas and Bryce, are vacated and of no affect. Accordingly,

IT IS ORDERED that any modification of the Decree which would purport to modify or amend or change the parentage of the children is rejected, or set aside, and all order on the August 24, 2009 default are affirmed.

IT IS FURTHER ORDERED signing this minute entry as a formal Order of the Court this 21st day of April 2011.

Honorable Jose S. Padilla
Superior Court Judge

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11:11 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov>.